

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NATURAL RESOURCES DEFENSE COUNCIL,
ENVIRONMENTAL JUSTICE HEALTH ALLIANCE, PUBLIC
CITIZEN, CATSKILL MOUNTAINKEEPER, CENTER FOR
COALFIELD JUSTICE, CLEAN WATER ACTION, COMING
CLEAN, FLINT RISING, INDIGENOUS ENVIRONMENTAL
NETWORK, JUST TRANSITION ALLIANCE, LOS
JARDINES INSTITUTE, SOUTHEAST ENVIRONMENTAL
TASK FORCE, TEXAS ENVIRONMENTAL JUSTICE
ADVOCACY SERVICES, WATER YOU FIGHTING FOR,
WEST HARLEM ENVIRONMENTAL ACTION, INC.,

Plaintiffs,

v.

ASSISTANT ADMINISTRATOR SUSAN PARKER BODINE,
ADMINISTRATOR ANDREW WHEELER, UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY,

Defendants.

No. 20 Civ. 3058 (CM)

**NOTICE OF
CROSS-MOTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Opposition to Plaintiffs' Motion for Summary Judgment and in Support of Defendants' Cross-Motion for Summary Judgment, Defendants' Response and Counter-Statement of Material Facts Pursuant to Local Civil Rule 56.1(b), the Declaration of Lawrence E. Starfield, and the Declaration of Anne Idsal, Defendants Susan Parker Bodine, Andrew Wheeler, and the United States Environmental Protection Agency, by their attorney, Geoffrey S. Berman, United States Attorney for the Southern District of New York, hereby move this Court for an order granting summary judgment to Defendants pursuant to Rule 56 of the Federal Rules of Civil Procedure.

Dated: May 29, 2020
New York, New York

Respectfully Submitted,

GEOFFREY S. BERMAN
United States Attorney of the
Southern District of New York

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